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LETTER DATED 11 DECEMBER 1995 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you the text of the conclusions of the Peace Implementation Conference, held in London on 8 and 9 December 1995 (see annex).

I would be grateful if you could circulate the present letter and the conclusions attached to it as a document of the Security Council.

(Signed) John WESTON

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Annex

Conclusions of the Peace Implementation Conference held at Lancaster House, London, on 8 and 9 December 1995

1. The General Framework Agreement for Peace in Bosnia and Herzegovina initialled at Dayton, Ohio, United States of America, on 21 November 1995 by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (see A/50/790-S/1995/999) provides the population of Bosnia and Herzegovina with the opportunity to rebuild their lives together in peace and prosperity. They are committed to creating a State that will bring the peoples of Bosnia and Herzegovina together within a social and political framework that will enable the country to take its rightful place in Europe.

2. The Peace Agreement will be signed at the Paris Conference on 14 December 1995. That Conference will mark a further important stage in bringing about recognition between the States in the region and will initiate promotion of good neighbourly relations between them.

3. The purpose of the London Peace Implementation Conference is to mobilize the international community behind a new start for the people of Bosnia and Herzegovina. The Conference agrees that the peace should result in:

(a) The creation of a climate of stability and security in Bosnia and Herzegovina and the achievement of a durable and lasting political settlement;

(b) The establishment of new political and constitutional arrangements for Bosnia and Herzegovina that will bring the country together within a framework of democracy and the rule of law;

(c) The protection and promotion of human rights and the early return of refugees and displaced persons;

(d) The establishment of an open, free market economy in Bosnia and Herzegovina;

(e) A kick start to economic reconstruction;

(f) The normalization of relations between Bosnia and Herzegovina and her neighbours, the region and the rest of the international community;

(g) The creation of a direct and dynamic contractual relationship between Bosnia and Herzegovina and the European Union (EU) within the framework of a regional approach;

(h) Successful implementation of the Basic Agreement on the region of Eastern Slavonia, Baranja and Western Sirmium;

(i) Important economic opportunities for countries neighbouring the former Yugoslavia.

4. The realization of these objectives involves an initial phase of peace implementation during which the international community, including a wide range of international and regional organizations and agencies, will be deeply involved in assisting in the implementation of the tasks flowing from the Peace Agreement. These tasks include the military disengagement of the parties, agreement on regional stabilization measures, arrangements to promote the return of refugees and displaced persons, and the holding of free and fair elections for new democratic structures in Bosnia and Herzegovina. This will lay the base for the longer-term development by the peoples of Bosnia and Herzegovina themselves of their institutions and economy, and the normalization of external relations of Bosnia and Herzegovina both with her neighbours and with the international community.

5. The participants in the Conference recalled the commitment in the Peace Agreement Concluding Statement made by the relevant parties to assist in locating the French pilots missing in Bosnia and Herzegovina and to ensure their immediate and safe return. They expressed their strong support for the Government of France and undertook to continue pressing through all appropriate bilateral and multilateral channels as a matter of the greatest urgency for the prompt and unconditional release of the detained pilots. They noted that in the event of failure by the relevant parties to honour those commitments, the Government of France would draw the appropriate conclusions.

6. The participants at the London Peace Implementation Conference were briefed on the military operation and then addressed regional stabilization, civilian implementation structures, humanitarian assistance, return of refugees, the protection of human rights, the organization of elections, economic reconstruction and relations with EU and the rest of the international community. The participants arrived at the conclusions set out in the present document.

Military implementation

7. The Conference was briefed by the Acting Secretary-General of the North Atlantic Treaty Organization (NATO), the Chairman of the Military Committee and the Supreme Allied Commander Europe on plans for the deployment of the implementation force (IFOR) to Bosnia and Herzegovina. The Conference also received a briefing from General Rupert Smith (Force Commander, United Nations Protection Force (UNPROFOR)) on the transition from UNPROFOR to IFOR. The Conference paid tribute to the role of UNPROFOR over the last three and a half years.

8. The military mission was described as having the following primary tasks:

(a) To ensure continued compliance with the Cessation-of-Hostilities Agreement;

(b) To ensure the withdrawal of forces from the Agreed Cease-Fire Zone of Separation;

(c) To ensure the separation of forces from the Inter-Entity Boundary Line.

9. General Joulwan said that, in addition to these key tasks, IFOR might be asked to undertake the following supporting tasks within the limits of its capabilities:

(a) To help create secure conditions for the conduct by others of other tasks associated with the Peace Agreement (though IFOR would not undertake humanitarian tasks itself);

(b) To assist in the observation and prevention of interference with the freedom of movement of civilian populations, refugees and displaced persons;

(c) To assist in the monitoring of the clearance of minefields and obstacles;

(d) Within IFOR capabilities, to provide assistance to the United Nations High Commissioner for Refugees (UNHCR) and other international organizations in their humanitarian missions.

10. The Conference notes that:

(a) Close cooperation between IFOR, the High Representative and the agencies will be vital to ensure the success of the implementation period. Contacts are already under way to this end;

(b) The speed and ease with which IFOR will be able to accomplish its mission will depend to a large extent on the cooperation it receives from the parties.

Regional stabilization

11. The Conference agrees that, while the implementation force will bring about the territorial settlement, longer-term stability in Bosnia and Herzegovina and the region will only be secured if underpinned by confidence-building and arms control measures on the model of agreements developed successfully elsewhere in Europe under the auspices of the Organization for Security and Cooperation in Europe (OSCE). Such measures will encourage the creation of a balance of forces in the region, at the lowest levels consistent with security, thus contributing to lasting peace.

12. The Conference therefore strongly:

(a) Urges the parties to observe the deadlines set out in the Peace Agreement for agreeing on such measures;

(b) Supports the OSCE commitment at the ministerial meeting held at Budapest on 7 and 8 December 1995 to assist the parties with the negotiation and implementation of these measures (see A/50/813-S/1995/1030);

(c) Endorses with appreciation the decision of the Government of Germany to convene an international meeting at Bonn on 18 December 1995 to initiate this process.

Civilian implementation

13. The Conference was briefed by Mr. Carl Bildt on the wide range of tasks involved in civilian implementation. These were discussed in more detail in subsequent sessions of the Conference, with the conclusions recorded below.

14. Mr. Bildt identified in particular the need for early action in Sarajevo to create confidence between the communities. Bosnia and Herzegovina has requested the cooperation of the High Representative in the project of a unified Sarajevo as the capital of Bosnia and Herzegovina and of the Federation of Bosnia and Herzegovina as called for by the Peace Agreement. The Conference asks Mr. Bildt to address these problems urgently in cooperation with the local authorities and the international agencies and in consultation with the IFOR Commander. It also agrees on the importance of immediate efforts by the authorities on both sides to promote confidence and reconciliation; the early deployment of the International Police Task Force; and full restoration of basic services to the city. The Conference recognizes the need for urgent reconstruction in Sarajevo and elsewhere in Bosnia and Herzegovina.

15. The United Nations Secretary-General said he would bring forward proposals to the United Nations Security Council concerning the part the United Nations would play in civilian implementation in addition to the role of the Office of the United Nations High Commissioner for Refugees. These would include the International Police Task Force and certain related human rights and civil affairs functions.

16. During the transition and to the end of the UNPROFOR mandate, the United Nations will provide administrative and other support to IFOR and the High Representative.

High Representative

17. In view of the complexity of the tasks, the parties have requested the designation of a High Representative who, in accordance with the civilian implementation annex of the Peace Agreement, will monitor the implementation of the Peace Agreement and mobilize and, as appropriate, coordinate the activities of the civilian organizations and agencies involved.

18. Following consultation with the Government of Bosnia and Herzegovina, the Conference approved the designation of Mr. Carl Bildt as High Representative and expressed gratitude for his willingness to take on this responsibility. It notes that Mr. Bildt will continue to act as EU Mediator for Former Yugoslavia and in that capacity will work closely with the EU Troika. The Conference invites the United Nations Security Council to agree to Mr. Bildt's designation as High Representative.

19. The Conference concludes that:

(a) The parties must meet their commitment to cooperate with the High Representative and in particular make available to him and his staff necessary office space, especially in Sarajevo, to enable his headquarters there to start functioning immediately;

(b) All States concerned, and in particular those where the High Representative establishes offices, should ensure that the High Representative enjoys such legal capacity as may be necessary for the exercise of his functions, including the capacity to contract and to acquire and dispose of real and personal property;

(c) The international community should do everything possible to meet requests from the High Representative for staff and other support.

Administrative structures for civilian implementation

20. The Conference concludes that, with the signature of the Peace Agreement, important objectives of the International Conference on the Former Yugoslavia have been met and a new structure is required to manage peace implementation.

21. The Conference therefore decides that:

(a) A Peace Implementation Council (PIC), composed of all those States, international organizations and agencies attending the Conference, will subsume the International Conference on the Former Yugoslavia. France, as Chairman of the group of seven major industrialized countries in 1996, will play a specially strong coordinating role in the PIC. The border mission and working groups (notably on State succession and humanitarian issues, as well as on ethnic and national communities and minorities in Bosnia and Herzegovina and in neighbouring countries) will continue their work with their present terms of reference for as long as necessary;

(b) A meeting of the PIC to review progress in peace implementation will be held in Italy in June 1996 under the chairmanship of the Government of Italy;

(c) A Steering Board of the PIC, composed of representatives of Canada, France, Germany, Italy, Japan, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the Presidency of EU, the European Commission and the Organization of the Islamic Conference (OIC), will be established with immediate effect under the chairmanship of the High Representative. It will give him political guidance on peace implementation. The Steering Board, which may establish working groups as necessary, will normally meet monthly and will keep the PIC fully informed of progress. Representatives of relevant international organizations will be invited to attend as appropriate. In view of their wide-ranging responsibilities, the United Nations and OSCE will be associated especially closely and will be invited to attend when their responsibilities under the Peace Agreement are involved. The Steering Board will also keep the neighbouring States closely informed and maintain a regular dialogue with them;

(d) When the Steering Board considers reconstruction, the views of major donors will be of particular importance. Frequent aid donors meetings will be needed to achieve wide and equitable participation in the international aid effort and to enhance coordination between programmes and projects. Such meetings will inform the work of the Steering Board. The first such meeting will take place at Brussels on 20 and 21 December 1995 and will be co-hosted by the European Commission and the World Bank. In this meeting, and those which take place subsequently, the World Bank and the European Commission will play their appropriate roles.

22. On funding, the Conference agrees that:

(a) Governments seconding staff to the High Representative will bear the cost of salaries and any other national emoluments. Representatives of Governments attending meetings called by the High Representative will bear the cost of their travel and accommodation. A budget to cover the operational costs of the PIC, notably the cost of the headquarters and offices of the High Representative as well as one of the remaining working groups and the border mission of the International Conference on the Former Yugoslavia, will be proposed by the Steering Board. The PIC undertakes to provide funding for this budget on a key derived from the International Conference on the Former Yugoslavia key to be agreed by consensus. It was noted that EU was already taking steps to provide for certain immediate costs for the High Representative and for its share of the total;

(b) The International Conference on the Former Yugoslavia structure should aim for dissolution by 31 January 1996. All outstanding funding contributions to the International Conference should have been made at that time. All funds remaining in accounts of the International Conference on the Former Yugoslavia would be transferred to the PIC to be used for purposes for which the funds were originally contributed, whether for conference functions or for the border closure monitoring mission.

Humanitarian assistance, refugees and prisoners

23. The war in Bosnia and Herzegovina has involved great suffering among the civilian population. Over 2.1 million people have been displaced or become refugees. The Conference acknowledges the great contribution made during the conflict by UNHCR and other humanitarian agencies, funded in large part by EU, as well as the support given in the countries of asylum. It agrees that an early objective of the Peace Agreement is to create secure conditions for the safe and orderly return of refugees and displaced persons to places of their choice.

24. The United Nations High Commissioner for Refugees outlined the main tasks as being:

(a) To continue to provide food, shelter and medicines for the dependent population for some time to come;

(b) To plan and carry out a repatriation operation in cooperation with asylum countries and the Government of Bosnia and Herzegovina to allow for the early, phased, safe and orderly return of refugees and displaced persons.

In view of the urgency of the tasks involved in repatriation planning, she noted that the Humanitarian Issues Working Group would meet on 16 January 1996.

25. The President of the International Committee of the Red Cross (ICRC) drew attention to the Committee's tasks in respect of prisoners and missing persons. Fulfilment of the Peace Agreement will require:

(a) Full and immediate access by ICRC to all places where prisoners and detainees are kept to interview and register all of them prior to their release;

(b) Full cooperation of the parties over the release of prisoners and the provision of information about the fate of persons unaccounted for, as set out in the Peace Agreement.

26. Both the United Nations High Commissioner for Refugees and the President of ICRC drew attention to the fact that, for the first month of implementation, the deployment of IFOR would involve the heavy use of lines of communication into and within Bosnia and Herzegovina, which would have implications for the humanitarian operation, especially the delivery of humanitarian assistance and release of those detained. They noted that this would require especially close cooperation between the High Representative, the IFOR commanders and the agencies involved.

27. The parties undertake to comply urgently and fully with their obligations in creating the conditions necessary for the early, safe and orderly return of refugees and to cooperate fully with ICRC to ensure the early release of prisoners in accordance with the Peace Agreement.

28. The Conference decides that the above tasks will require an extra effort by the international community and calls for immediate and generous help for the continuing work of the humanitarian agencies and for contributions to the ICRC appeals and the United Nations consolidated appeals, as well as the new UNHCR Trust Fund for Shelter. A number of countries indicated that they would provide substantial further support for the humanitarian effort.

Protection of human rights

29. The Conference notes the background of extreme violations of human rights and ethnic cleansing that have occurred during the conflict in Bosnia and Herzegovina, and agrees on the vital importance, for achieving lasting peace, of the creation of the necessary institutions for the protection of human rights, including judicial institutions and civilian law enforcement agencies operating in accordance with internationally recognized standards and respect for human rights.

30. The Conference takes note of the commitments made by the parties in the Peace Agreement:

(a) To ensure the highest level of internationally recognized human rights and fundamental freedoms, in particular the direct application of the rights and freedoms set forth in the European Convention on Human Rights, the entrenchment of these rights in the Constitution and the setting up of control organs, in particular a human rights commission comprising an ombudsman and a human rights chamber;

(b) To the establishment of a constitutional court with jurisdiction to determine whether laws are compatible with the European Convention on Human Rights;

(c) To promote and encourage the activities of non-governmental and international organizations for the protection and promotion of human rights in Bosnia and Herzegovina.

31. The Conference underlines the relationship between the fulfilment by the parties of their commitments in the Peace Agreement, including the observance of the highest standards of human rights and the readiness of the international community to commit financial resources for reconstruction and development.

32. The Conference decides that, in view of the human rights situation in Bosnia and Herzegovina, urgent action is needed in the following areas:

(a) An International Police Task Force should be created quickly, to advise, train and monitor local law enforcement personnel;

(b) Resources should be provided by OSCE and the United Nations for human rights monitoring;

(c) OSCE should appoint an ombudsman, as provided for in the Peace Agreement;

(d) The relevant Council of Europe organs should appoint members of the constitutional court for Bosnia and Herzegovina and the human rights chamber, as provided for in the Peace Agreement;

(e) All competent authorities in Bosnia and Herzegovina must cooperate fully in all respects with the International Tribunal for the Former Yugoslavia.

33. The Conference agrees that the High Representative or his representative will chair a human rights task force in Sarajevo, bringing together the organizations and agencies involved in the implementation of the Peace Agreement.

Elections

34. The Conference notes that, between six and nine months after signature of the Peace Agreement, elections supervised by a provisional election commission established by OSCE will be held in Bosnia and Herzegovina. These elections are of paramount importance in bringing about a democratic and stable country.

35. The Conference heard a report from the Chairman-in-Office of OSCE on the decision taken at the ministerial meeting held at Budapest on 7 and 8 December establishing the OSCE Mission to Bosnia and Herzegovina. OSCE, and in particular the Chairman-in-Office and the Head of the OSCE Mission, will coordinate closely with the High Representative, who will attend or be represented at the meetings of the provisional election commission.

36. The Conference agrees that the OSCE mandate to supervise the preparation and conduct of elections will include the following tasks:

(a) Consultations with local authorities about the conduct of elections;

(b) Early adoption of an elections programme for Bosnia and Herzegovina;

(c) Rapid appointment of the members of the provisional election commission;

(d) Establishing the electoral rules and regulations;

(e) Organizing election monitoring to ensure free and fair elections.

37. Dr. Hoeynck, Secretary-General of OSCE, gave details of the preparations being made. The Head of Mission, who would deploy in early January 1996, would be supported by a staff of national secondees. These would be experienced members of the European Community Monitoring Mission. The Head of Mission would need to appoint, within the first month of the Mission's operation, the other members of the election commission, and to consider urgently, in consultation with the High Representative, which issues would affect the holding of elections.

38. The Conference agrees that, to ensure the successful completion of these tasks, the parties must:

(a) Take practical measures and pursue the policies necessary to ensure that all voters have the right to freedom of movement, association and expression and the right to vote without fear or intimidation, and that there is equal access to free and impartial media;

(b) Cooperate fully with the OSCE Mission. In this first election it will be particularly important for the parties to ensure that all members of the OSCE staff and monitors have unrestricted freedom of movement throughout the country as well as access to all relevant organizations and individuals. The parties will need to help make available accommodation and other necessary facilities for the Mission.

39. The Conference decides that, to enable the OSCE Mission to fulfil its mandate, the members of the PIC will give a lead in providing staff and resources as well as election monitors. The Conference welcomes the offer from Sweden to host in January 1996 a preparatory meeting of the organizations and agencies involved in the supervision of the elections in Bosnia and Herzegovina.

Reconstruction

40. The economic and physical infrastructure of Bosnia and Herzegovina has suffered serious damage as a result of the war. Responsibility for reconstruction must lie primarily with the authorities of Bosnia and Herzegovina. At the same time, donors, including through the international financial institutions, are prepared to make a substantial contribution on the basis of appropriate burden-sharing within the international community of the overall effort needed to secure and implement the peace.

41. This process will begin with the organization by the World Bank and the European Commission of the meeting at Brussels on 20 and 21 December referred to in paragraph 21 (d) indicating the urgent reconstruction needs of Bosnia and Herzegovina over the next three months. It will be followed by a pledging conference in early March.

42. The President of the World Bank outlined the Bank's role in reconstruction and the arrangements to be established on the ground for coordination of technical aspects. The World Bank and creditors indicated they would exercise their best endeavours in respect of the settlement of outstanding arrears of Bosnia and Herzegovina as soon as possible. The International Monetary Fund (IMF) stated that membership of IMF for Bosnia and Herzegovina and the provision of financial resources under the Fund's emergency policy was expected in the very near future. Work was beginning immediately to agree on a programme for further use of Fund resources. The President of the European Bank for Reconstruction and Development (EBRD), the European Commission, and other major donors indicated the parts they expected to play.

43. The Conference stresses the importance of the parties:

(a) Creating effective central institutions capable of adopting responsible fiscal and monetary policies; conducting business with the international community and in particular the international financial institutions; and contracting and servicing debt on behalf of Bosnia and Herzegovina;

(b) Pursuing policies that foster the creation of a market economy and an open trading system.

Future relations

44. In a presentation to the Conference, the President of the Council of Ministers of EU, Mr. Solana, stressed that legitimate and effective political structures in Bosnia and Herzegovina were needed in order for it to be able to establish strong relations with the Union. He also stated that long-term stability required normalization of relations within the region and between the States of the former Yugoslavia and the rest of the international community.

45. In addition to outlining the Commission's proposals concerning reconstruction, the External Affairs Commissioner of the European Commission, Mr. Van den Broek, looked forward to the development of a direct and dynamic

contractual relationship between the EU and Bosnia and Herzegovina within the framework of a regional approach.

Eastern Slavonia

46. An informal meeting involving a number of delegations closely concerned was held in the margins of the Conference to discuss the implementation of the Basic Agreement on the region of Eastern Slavonia, Baranja and Western Sirmium.

47. There was recognition of the crucial importance of successful implementation of this Agreement. The international community will play its part. The United Nations Secretary-General will issue a report by 14 December. The United States of America declared its readiness to nominate a candidate to head the Transitional Administration, which will govern the region during the transitional period for which the Basic Agreement provides. It was agreed that no effort should be spared to find and deploy quickly adequate international forces required for the transitional period.